

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)



Order Filed on July 17, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Gloriann M. Walker

Case No.: 18-11058

Chapter: 13

Hearing Date: 7/10/24

Judge: Michael B. Kaplan

ORDER DENYING MOTION TO REOPEN

The relief set forth on the following pages, numbered two (2) through 2 is
ORDERED.

DATED: July 17, 2024


Honorable Michael B. Kaplan
United States Bankruptcy Judge

This matter comes before the Court on Debtor's Motion (ECF No. 92) seeking to reopen her Chapter 13 in order to allow the subsequent filing of a Motion to Strip Off previously unknown second mortgage lien. Quimby Ventures, LLC, who is the junior lien-holder on the subject property, filed Opposition (ECF No. 94). The Court considers this matter on the papers, without oral argument.

The relief requested in the Motion seeks to reopen the case to "allow the addition of omitted creditor Quimby Ventures to Debtor's schedules, to allow Quimby Ventures, LLC to file a Proof of Claim if they so chose, to allow the debtor to file her motion to strip off the unsecured mortgage lien and pay Quimby Ventures, LLC their Pro Rata share of the unsecured debt as necessary." This, necessarily, entails modification of Debtor's confirmed Chapter 13 plan. Post-confirmation plan modification is governed by 11 U.S.C. § 1329. However, Section 1329 permits modification only "before the completion of payments[.]" Here, Debtor completed her plan payments earlier this year and received her discharge on January 29, 2024 (ECF No. 89). Accordingly, her plan cannot be reopened and modified to address the debt owed to Quimby Ventures.

For the foregoing reasons, it is hereby

ORDERED that Debtor's Motion to Reopen (ECF No. 92) is DENIED.